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January 6, 2004

Commissioner of Patents & Trademark
United States Patent & Trademark Office
Washington, D.C., 20231

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Examiner; Kim M. Lewis
ART UNIT 3743
RE: Response to First Office Action

Applicant: PARK ET AL.
Application Number: 10/810,860

Attorney Docket No.: 911-6761

Ladies and Gentlemen:

Transmitted herewith for filing are amendments of the above-identified patent application according to the first Office Action mailed on October 15, 2004.

Thank you for your prompt response and kind consideration. Should you have any questions or need additional information, please do not hesitate to contact the undersigned.

Respectfully submitted,



Eugene Oak, Ph.D., J.D.
Patent Attorney

EO/ycc/mk/kc



DETAILED ACTION

Information Disclosure Statement

1. *The listing of references in the specification is not a proper information disclosure statement. 37CFR 1.98 (b) requires a list of all, patents, publications, or other information submitted for consideration by the Office, and MPEP§ 609A(1) states, “the list may not be incorporated into the specification but must be submitted in a separate paper.” Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.*

The disclosed informations are listed on form PTO-892 in a separate paper.

Drawings

2. *The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: “14” is missing from Figs. 3a-3c; and “28” defining the distance between the two plastic frames is not shown Fig. 5 as indicated on page 7. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the application will be notified and informed of any required corrective action in the next action. The objection to the drawings will not be held in abeyance.*

Amended appropriately in the following attachment of “Replacement Sheet”.

3. *The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: “29” shown in Fig. 5 is not in the specification. Corrected drawing sheets in compliance with 37 CFR 1.121(d), amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.21(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing*

figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

“28” indicating the distance between the two plates on page 7 is mistyping of “29”. Amended appropriately in the following attachment.

4. *The drawings are objected to because the lead line for reference character “13”, does not point to plastic mesh. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of the amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.*

Amended appropriately in the following attachment of “Replacement Sheet”.

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE
AMENDMENT**

In Page 7, Paragraph 2, Line 16 – Line 27

In Page 8, Paragraph 1, Line 1 – Line 3

IN THE DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT:

FIG. 5 is the schematic drawings showing the back supporting frames (1) worn by patients with varied waist contours. The distance (28) (29) between the two plastic frames along the inner half of the rim vary, depending on the shape of the back of the individual patient (27), due to the combined movement of the two hinges (4) located on the upper and lower portions of the plates (2), and the position of the two guiding nuts (25) separately located on the center of the exterior side of the inner-half of the rim of each plastic plate (2), within the two narrow and long holes (20) found on the wider portions of the belt. In addition, the distance (28) (29) between the two plastic frames along the vertical axis is adjustable, allowing the distance (28) (29) between the two plates on the top portion to be different from the distance between the two plates on the bottom portion. This easily adjustable variation in the distance (28) (29) between the two plastic frames enables patients with varied back contours and varied chest width to lower back width ratios to enjoy equal comfort and back support.



Notice of References Cited	Application/Control No.	Applicant(s)/Patent	
	10/810,860	Under Reexamination	
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U.S. PATENT DOCUMENTS

		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-1,100,430	06-1914	Haas, F	602/19
	B	US-1,880,946	10-1932	ETTINGER JOE J	602/19
	C	US-1,935,859	11-1933	OSKAR PUTZ	602/19
	D	US-2,554,337	05-1951	LAMPERT CHESTER P	606/237
	E	US-4,202,327	05-1980	Glancy, John J.	602/19
	F	US-4,508,110	04-1985	Modglin, Michael D.	602/19
	G	US-4,559,993	12-1985	Batard et al.	602/19
	H	US-5,012,798	05-1991	Graf et al.	602/19
	I	US-5,344,391	09-1994	Modglin, Michael D.	602/19
	J	US-5,437,614	08-1995	Grim, Tracy E.	602/19
	K	US-5,449,338	09-1995	Trudell, Thomas G.	602/19
	L	US-5,451,200	09-1995	LaBella et al.	602/19
	M	US-5,503,621	04-1996	Miller, John J.	602/19

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		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
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NON-PATENT DOCUMENTS

		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages
	O	



Notice of References Cited	Application/Control No.		Applicant(s)/Patent	
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	A	US-5,620,412	04-1997	Modglin, Michael D.	602/24
	B	US-6,099,490	08-2000	Turtzo, Craig H.	602/19
	C	US-6,102,879	08-2000	Christensen et al.	602/19
	D	US-6,213,968	04-2001	Heinz et al.	602/19
	E	US-2002/0068890A1	06-2002	Schwenn et al.	602/19
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	N					

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